

REMARKS

This application has been reviewed in light of the non-final Office Action mailed on October 29, 2008. Claims 1-20 are pending in the application with Claims 1, 2, 3 and 9 being in independent form. By the present Amendment, independent Claims 1, 2, 3 and 9 have been amended to include at least one limitation previously recited by dependent Claim 4 of which the Examiner states in the Office Action includes allowable subject matter. Claim 4 has also been amended.

Applicants gratefully acknowledge the allowance of dependent Claims 4-6 if rewritten in independent form and including all of the limitations of the base claim and any intervening claims. By the present Amendment, as stated above, independent Claims 1, 2, 3 and 9 have been amended to include at least one limitation previously recited by dependent Claim 4. This at least one limitation is believed to recite patentable subject matter and as such dependent Claim 4 has been indicated to be allowable by the Examiner, if rewritten in independent form and including all of the limitations of the base claim and any intervening claims. Accordingly, the withdrawal of the objection to dependent Claims 4-6 is respectfully requested. Additionally, independent Claims 1, 2, 3 and 9 and their corresponding dependent claims are believed in condition for allowance due to at least the inclusion of the limitation previously recited by dependent Claim 4. However, for completeness, arguments are presented below regarding the patentability of independent Claims 1, 2, 3 and 9 and their corresponding dependent claims over the prior art of record.

In the non-final Office Action, Claims 1-3 and 7-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,924,043 issued to Takano (Takano) in view of U.S. Patent No. 6,334,047 issued to Andersson et al. (Andersson et al.). It is respectfully submitted

that independent Claims 1, 2, 3 and 9 are patentable over Takano and Andersson et al., taken alone or in any proper combination, for at least the following reasons.

Takano is directed to a power control apparatus for controlling transmission power of a mobile unit through a step size based power control implemented in a closed loop control system in a cellular mobile communication system which reduces power control error and increases system channel capacity involving power control delay. The power control apparatus has a feedback function of a transmission power control command signal, transmission power command (TPC) bit, implemented in an adjuster including an adder, a delay circuit, and an amplifier at a base station. Through the TPC-bit feedback function, the power control error of transmission power from the mobile unit not adjusted based upon a TPC bit currently generated and transmitted to the mobile unit due to the power control delay is adjusted with a power predicted through the feedback loop based upon the same TPC bit to generate a quality TPC bit.

The Examiner acknowledges that Takano fails to disclose a requested step size is included in the power control commands and a minimum step size is implemented by the other station. The Examiner relies on Andersson et al. to address the deficiencies of Takano with respect to independent Claims 1, 2, 3 and 9. The Examiner states Andersson et al. discloses a requested step size is included in the power control commands and a minimum step size is implemented by the other station.

Andersson et al. is directed to a mobile communications system in which the value of a signal parameter detected from a signal received by a radio transceiver is compared with a desired signal parameter value, and a difference is determined. A transmit power control command is sent to the radio transceiver and may instruct, for example, an increase or decrease in the level of radio transmit power. Included with the transmit power control command is a

power control indicator indicating whether a first or a second type of power control adjustment should be used by the radio transceiver depending upon the determined difference. In one embodiment described by Andersson et al., the power control indicator is a single-flag bit. A first value indicates that the first type of power control adjustment should be used; the second value indicates that the second type of power control adjustment should be used. The power control indicator itself does not include specific details of the first or second type of power control adjustment. Because only the indicator is sent (and not the details), signaling overhead and bandwidth consumption related to frequently sent power control commands are kept to a minimum. The specific details of the first and second power control adjustments are initially stored in to the radio transceiver. Alternatively, a power control indicator may be communicated using techniques other than adding one or more flag bits to a fast transmit power control message to effect a change in power control type as long as signaling overhead is not significantly increased.

It is respectfully submitted that neither Takano nor Andersson et al., taken alone or in any proper combination, disclose or suggest at least the newly added limitations to Applicants' independent Claims 1, 2, 3 and 9. In particular, neither Takano nor Andersson et al., taken alone or in any proper combination, recite "wherein at least one of the plurality of secondary stations includes means for selecting one of a plurality of available power control step sizes in response to commands issued by the primary station," as recited by Applicants' independent Claim 1 and similarly recited by Applicants' independent Claims 2, 3 and 9.

Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to independent Claims 1, 2, 3 and 9 and allowance thereof are respectfully requested.

Dependent Claims 7-8 and 10-20 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1, 2,3 and 9.

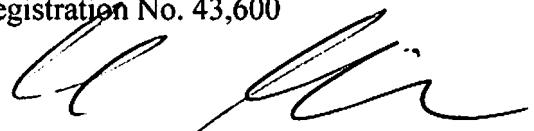
Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 7-8 and 10-20 and allowance thereof are respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-20, are believed to be in condition for allowance.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the undersigned.

Respectfully submitted,

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